G. R. S. IX-5]

Previous references.

114-12, 226-14

488/14

Later references.

1908.

(Mines)

File No. 583

Serial Nos. 1–6

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for 13 Dec 19

SUBJECT.

Petn from Archak Narayanappa of Konaghatta praying for the restoration of a house

---

Bangalore No 1831-29
13.12.19

Passing orders on the ——

C Hiriyanna

W D 1250—GPB—30,000 28 1 19

G.R.S 11] 1909.

GENERAL AND REVENUE SECRETARIAT.

(Mysore)

NOTES.

File No. 5634-8

FILE HEADING.

Petition from Archak Nagappa of Konagatte Kowthalle village in Doddaballapur Taluk complaining of the alienation of the house belonging to Manga Devamma temple intended for the Archak to live in.

From

Archak Nagappa

No. Petition Dated 15-4-09 Received

Diary No. 1352 | Enclos - | Spare Copies - | Serial No. 1

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

AV 30/4/09

Submitted with a draft as directed

Issue 30/4/09

30/4/09

GLS

NOTES—First sheet

GPB—30,000—3-4-07

G. R. S. 12]

General and Revenue Secretariat.

File No. 583 of 1908.

Serial No.

2. To, The Dy Commr, Bangalore Distt
C. M. no. 1858 Dy 11.5.1907.
Forwards Cl. 1 for report
To, Archak Nagappa.
Endt no 1659 Dy 11.5.1909.
Intimates the above.

3. From, The Dy Commr, Bangalore Dist.
Letter no 858 Dy 21.6.19'4.
Reports the circumstances under which the house of Margadevamma temple intended for the Archak to live in, came to be alienated.

2 ✓ The Dy. Commr's. report clearly explains the facts of the case in detail

3 The petitioner Nagappa, Archak of Margadevamma temple prays that a house belonging to the temple alienated to Akkiah and her son Channa may be restored to him as the house is intended for the Archak to live in.

4. It is reported that the accounts of the year Siddarthi (1860-61) show that the house belongs to the temple that the subsequent Khanesmari accounts of the village show that Akkiah was living in the house

NOTE—Contn. sheet.

GPR—10,000—13-6-14

(3

G. R. S. 12]

General and Revenue Secretariat. | File No. 583 of 1916

Serial No.

That in the year 1882-83, the being a non-agriculturists, a Mohatarfa tax of 8 annas was imposed. It is said that the petr when he was a minor left the village during the famine of 1878-79 and returned in 1901-02 after about 23 or 24 years. It is further reported that at the time of his leaving the place, he entrusted the house to his aunt Sonakka, that Sonakka having also left the village 3 years after the famine, the whole house came to the possession of Akkiah and that the nice conducted repairs and effected improvements.

5 The petr resorted to the Munsiff's Court at Dodballapur for the recovery of the house but it was decided against him as the house was in adverse possession of the defendants for upwards of 12 years, and as the suit was barred by limitation.

6 He has now approached the Revenue authorities in the matter. The Dy. Commr while minuting

NOTE—Contn. sheet.

GPB—10,000—13-6-14

G. R. S. 12]

General and Revenue Secretariat | File No. 1,860 of 1914

Serial No

the records connected with the case, doubts whether the alienation rules of 1877 can be made applicable to this case in which the property involved is a building and not an inam land. As regards the applicability of these rules, in the case re the alienation of the mahantana matt building at Vadigenahalli, the 1st member has been pleased to observe that the rules for the resumption of inam lands have no application to a case in which it is sought to resume a building from the opposite party.

Submitted for orders

AM(115)
25-8-1914
28-8-1914

8 Is the temple a Mysore institution. What is the inam granted

9 Indicate briefly the nature of the evidence for considering that the inam temple property is ~~property~~ originally so

10 The temple is reported to be a

NOTE—Contn sheet

GPR—10,000—13-6-14

General and Revenue Secretariat.

File No. 553 of 1906

Serial No.

Inungai instn being endowed with an inam (wet) land near Linganahalli which is lying fallow. It is also reported that certain other dry and wet inam lands near Konagatta were resumed to Govt during the famine, for arrears of jodi. The temple was getting a sograss annual grant of Rs 6 of which has since been discontinued. The villagers seem to be maintaining it (vide Amildar's Report no. 445 Dy 22-11-1903).

2 In his report no. 733 Dy 6th March 1903, the Amildar states that in Siddhari accounts, the house is shown as Temple inam

Submitted

BM(HS)
Sd 11.9.1914

12 A draft expiry is submitted. No inform is available in the marginal diaries of the Secretary.

BM(HS)
24.2.1915

13

GPR—10,000—13-6-14

G. R S 12]

General and Revenue Secretariat | File No 583 of 1918

Serial No

4. To The Dy Commr Bangalore Dt
No 1784 dt 8.2.15
Calls for further info
in the matter.

Sd

14 It is reported that the disputed house is not within temple premises the list of the entry in Sirsahi dist to is given in para 2 of the Dy. Commrs letter. A portion of the entry [illegible] to the house.

Enclosed

15 The first report of the Dy Comr (Sl. 3 in the file) viz No 858 of 21.4.14 states that the house in question is clearly the temple property & that the shenies are liable & be evicted from the temple house, which is said to be not situated within the temple premises, but on an inam land.

16 Information is not available as to whether (1) the land on which the house is situated is inam & the temple, (2) whether the site referred

NOTE—Contn sheet

G. R. S. III-2

General and Revenue Secretariat.

Inam File No. 538 of 1908

Serial No

in the Siddanti Chitte is the same land as that on which the house is situated & (3) what relationship, if any, the present Pet. Nagappa, has to Subbayya referred to in the Chitta.

17 May this enquiry be called for?

RG
21/7/09

18 No further enquiry is necessary. The Inam land is within the village Site and is really a building Site. & this Inam shown in the Quit-rent Register

Hon
30.7

The Quit-rent register of the Doddaballapur Dt is put up.

20 Marka Damma of Kamagatta has a small Inam land in the Lingenahalli Village. (Vide Sl 365)

Wet 44 O A 32 G Assessment 3/-

21 The Inam enquiry, probably not extended to this Inam and it has not therefore found a place in the Chitta as Devadaya Inam. Besides the said

NOTE—Contn sheet

General and Revenue Secretariat. | File No. of 191

Serial No.

Chitti shows that the Inam was known as Saptamatrika Mandapa and there is nothing to show that the shrine of this deity is identical with that of Mayuradevamma.

I do not see the Mahanta Matt file. Put it up

Sec
30.7.19

(A.V)
21-7-19

To be placed before permanent Munz. who is taking over charge shortly

Munz. 7. nos. 488-K/d 1114-12 relating to Vadigenahalli Mahantana Matt are submitted.

19.10.19

M
2.8.19

Secy

Does the house stand on the land classed as wet belonging to the temple or on any other land owned by it?

What is the height of the tope on which the house stands?

AWT
29/10/19

AWT
5-11-19

AWT 4.11.19

Note—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Inwz File No. 5-83 of 1918

Serial No

From the mahazar dated 10th Octr 1918 drawn up before the Amildar in Konaghatta Comp, it is seen that the temple is situated on the tank-bund at a distance of half-a-mile from the village, while the Inam Vatthara in the Temple khata is situated in the Village (Vide also 1st para of the Dy. Comm's letter under reference).

No information is available about the extent of the site on which the house stands.

Submitted

8-11-18 8/11/18

Submitted

31 Submitted to the Order passed by the then Vice Member of Council on 25-7-1914 in Inwz file 114 of 1912. Nothing can be done. File may be returned

Vice Member 11/11/18

Submitted 16/11/18 16.11.18

8/11/18

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

File No. 583 of 1918.

Serial No.	
	Submitted with d/f. 1-11-19.
	18-11-19
	Revised Dft as per order summarizing the facts of the case to submit for appl. or order.
	21-11-19
	Please put up clean typed draft as revised
	21-11-19
	Clean draft submitted
	26-11-19
	To see) 29-11-19
6	To D. C. Bangalore for information. Request the said Mr Nagaraja may be discharged from Nagamangala taluk in Mandya Taluk.

Muz.3]

GOVT. OF H. H. THE MAHARAJA OF MYSORE.

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No. M. [illegible]

The accompanying Petition No. D. 1352

dated 15-4-09 received at this Office from Archak Nagappa of Konagatta Kodihalli Village, Doddaballapur Taluk, complaining of the alienation of the house belonging to Marga Devamma temple intended for the Archak to live in,

is forwarded, ~~together with its enclosures,~~ to the Dy. Commr, Bangalore Dist, for report.

By Order,

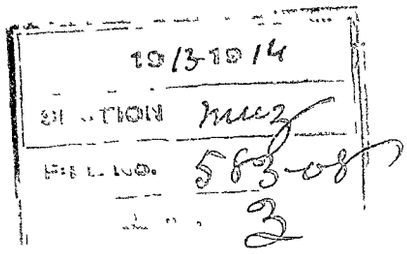
Secretary,

BANGALORE,
11-5-1909

for Secretary,
Muzrai Department.

GP.—1500—20 10 07

1999



From

The Deputy Commissioner
Bangalore District

To

The Secretary to Government
General & Revenue Department

Dated

Despatched 21-4-14

Received

General No. J 85-8
No.

Enclosure No. File

Report on the petition of Archak
Rangappa of Konappana Kodihalli
Village to BTq

Office of the Deputy Commiss. ner,
Bangalore District.
Dated Bangalore, 18th April 1914.

No.------ 2/

From

K.Chandy Esq., B.A.,
Deputy Commissioner,
Bangalore District.

To

K.R.Srinivasa Iyengar Esq.,M.A.,
Secretary to the Government of H.H.
the Maharaja of Mysore, Genl.and Rev.Depts.

Sir,

With reference to your Official Memorandum No.1858/583-08-2 dated the 11th April 1909, forwarding for report the petition of Archak Nagappa of Konagatta Kodihalli village in the Dodballapur Taluk, complaining of the alienation of the house belonging to Margadevamma temple, ~~intended~~ intended for the Archak to live in, I have the honor to state that it is seen from the records that the petitioner who left the village (when he was a minor) during the famine of 1878-79, returned in 1901 ~~an~~ or 1902, after about 23 or 24 years.It is reported that at the time of his leaving the place he entrusted the house to his aunt Somakka who allowed one -- Akkiah the present alienee to occupy a portion of the house for no consideration, that Somakka having also left the village three years after the famine, the whole house came to the possession of Akkiah, that the latter since conducted some repairs and effected some improvements at a cost of Rs.48/-.

2. Akkiah and her son Chennappa deny all knowledge of the house belonging to the temple and contest that the same belongs to them and that they have been in possession of it from a long time. But they cannot account how they got possession of the house and cannot prove their title thereto.

3. The Amildar in his report No.733 dated the 6th March 4
states that the accounts of the year Siddharti(1860-61)

show that the house belonged to the temple, that the subsequent Khaneshumari accounts of the village show that Akkiah was living in the house belonging to the temple and that in the year 1882-83(Chitrabhanu) a Mohatarfa tax of annas 8 was levied on her being a nonagriculturist. In the year 1908 the Sub-Division Officer of Dodballapur Sub-Division, to whom the records had been sent by the then Deputy Commissioner, for disposal issued an order that the alienee Chennappa son of Akkiah should quit th house after receiving Rs.48/- from the Archak Nagappa the petitioner, towards the cost of the improvements effected. But the Amildar reports that the said Channappa is not willing to so quit the house and that he has produced a copy of the Civil Court decision passed in his favour in respect of the house in question.

4. From the copy of the judgment passed by the Munsiff of Dodballapur, it is seen that the suit filed by the petitioner Nagappa in this respect against the alienees Akkiah and her son Chennappa was dismissed as the suit was not proved as the plaintiff was not in possession of the defendents(alienees) and as the house was in adverse possession for upwards of 12 years, and as also the suit was barred by limitation.

5. Apart from the Civil court decision it is clear from the records that the house belongs to the temple, and that it was in the possession of the Archak till up to 1878-79. In the Civil suit the temple was not made a party. Therefore the alienees seem to be liable to be evicted from the temple under the alienation rules of 1877. But whether the above rules are applicable to this case in which the property involved is an Inam land endowed to the temple for its maintenance is doubtful. Moreover the house does not seem to be a very valuable one. It is the folly of the Archak to have negligently allowed it to be occupied by others.

6. In these circumstances, I solicit the instructions of Government in the matter.

7. The file of vernacular records ending with Dodballapur Sub-Division Officer's Yadi No.524 dated the 7th October 1913

1915 is herewith submitted for reference and kind return.

I have the honor to be

Sir,

Your most obedient servant.

Deputy Commissioner,
Bangalore District.

L.S.P.
1.

Inthree aforesaid the lands alleged to belong to Marga Temple in the Doddaballapur Tal

G. R. S. 26]

File No. 58.

Serial No. 1870 4

Diary No. of letter replied to 1999

No. 17824 Emp-1 fls

General and Revenue Secretariat

( )

, *the* 191 .

To

The Dy Commr,
Bangalore Dist

Date of issue 8. 2. 1915

Signed by Mr N. Rama Rao

Adverting to his letter no. 858 Dy 21st April 1914 reporting on the petition of Archak Nagappa of Konagatta Kodihalli village in the Doddaballapur Taluk Complaining of the alienation of the house belonging to Margadevamma Temple intended for the Archak to live in, has the honor to request

over.

SUBJECT.

to be furnished with
information on the points
noted below:—

(1) Is the house situated
within Temple premises or
on vacant land belonging to the
~~granted~~
~~X~~ Temple? And

(2) what is the purport of the entry in the
~~does~~ the Siddanti
~~claim~~ account and what
~~account~~ ~~say~~ and how is
evidence is used to establish that
the house in dispute identical
with the one mentioned
in the ~~account~~ Account

A copy of the Siddanti
account in question may
kindly be forwarded for
reference

(3) The Vem. records are
herewith returned for reg:
And we — Mdm

B-o

Sir
Your
Obt
Servt

Jan Mg - Secretary

List of enclosures.

Copied by

Examined by

GPB—25,000—8 8 11

WD 1541—GPB—50 000—20 3 19—S.

1251

191

From The Deputy Commissioner Bangalore Dt

To The Joint Secretary to Govt, Army Department

Dated 11-7-19 Bangalore

Despatched 12—

Received

General No. Ste 11289 of

No

Enclosure No. one file

Re the information in respect of the shrine belonging to Kariya Devaramme temple at Kenchi Kodihalli, Doddaballapur Taluk

—— o ——

HC 1128 9/18-19

Office of the Deputy Commissioner
Bangalore District

Dated. Bangalore 11th July 1919

From

M. A. Narayana Iyengar, Esquire, B A B L
Deputy Commissioner
Bangalore District

To

G. Aravamudu Iyengar, Esquire, B. A B.L
Joint Secretary to the Government of Mysore
Muzrai Department
Bangalore

Sir,

Adverting to your No. 1784 Muz. 583-08-4 of 8th February 1915, calling for further information in respect of the house belonging to Manga Deo-amma Temple, at Konaghatta, Kodihalli, in the Doddaballapur Taluk, I have the honor to state that it is repeated that the house, in dispute, is not situated within the temple premises, but on a site known as Inam, within the "Gavatana" (Khaneshumari No. 31)

2. The Sidharti Chitte is herewith submitted in original. The details against Serial No. 239 of the Chitte shows that one Pujari Subbayya was in possession of a site, which was endorsed as Sapta-trike Manya and that a thatched house

was standing thereon.

3. The file of records bearing on the subject ending with Doddballapur Amildar's No. 725 of 24th June 1919 is herewith re-submitted.

I have the honor to be,
Sir,
your most Obedient Servant
[signature]
for Deputy Commissioner
Bangalore District

Proceedings of the Government of H.H. the Maharaja of Mysore.

Read:-

Petition Registered No.1552 dated 15th April 1909, from Kadaba of Konagatti Kodihalli village in the Doddaballapura Taluk, praying for the restoration to him of a house belonging to Sri Devamma --- temple, of which he is the Archak.

(2) Correspondence on the above ending with letter No.1128 dated 11th July 1919, from the Deputy Commissioner, Bangalore District.

1831-2 Encumbrance

Order No. Judicial 583-08-6
Dated Bangalore, 13th December 1919.

The temple of Sri Devamma is situated on the bund of a tank at a distance of half-a-mile from Konagatta Kodihalli village in the Doddaballapur Taluk, while the house referred to by the petitioner is situated in the village.

(2) Petitioner who was the Archak of the temple left the village during the famine of 1878-9 and returned to it in --- 1901, after an absence of more than 20 --- years when he found that the house was in the possession of one Akkiah and her son Chennappa. He filed a suit then against them and some others in the Court of the Munsiff of Doddaballapur for the recovery of the house, but it was dismissed on the ground that the suit was barred by limitation, as Akkiah and Chennappa had

in adverse possession of the house for upwards of 12 years.

(3) Nagappa has presented a petition to the Government complaining of the alienation of the house. The Deputy Commissioner who was called upon to submit a report states that the house which belongs to the temple was in the possession of the Archak up to 1878-9, and that since then Akkiah and Chennappa have been in possession and enquires if the alienees can be evicted from the ~~temple~~ house under the Rules of 1877.

(4) Government observe that the Rules relating to the resumption of Inam lands endowed to religious and charitable institutions have no application to a case like the present, where what ~~is~~ is sought to be recovered is a building. The question is one for adjudication by the Civil Courts and as pointed out above, the suit instituted by the petitioner for the recovery of the house has been dismissed.

(5) The petition of Archak Nagappa is therefore rejected.

8/12/

Re-Draft

Secretary to Government,
Muzrai Department.

To

The Deputy Commissioner, Bangalore District.

The Petitioner returning the records.

HRR.